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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/650,189
Filing Date	August 27, 2003
First Named Inventor	Leung, A.
Group Art Unit	2171
Examiner Name	Unassigned
Attorney Docket Number	021154-000510US

Total Number of Pages in This Submission

4

ENCLOSURES (check all that apply)

- | | | |
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| <input type="checkbox"/> Fee Transmittal Form

<input type="checkbox"/> Fee Attached

<input type="checkbox"/> Amendment / Response

<input type="checkbox"/> After Final

<input type="checkbox"/> Affidavits/declaration(s)

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<input type="checkbox"/> Express Abandonment Request

<input checked="" type="checkbox"/> Information Disclosure Statement

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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)

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<input type="checkbox"/> Petition to Convert to a Provisional Application

<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address

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<input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group

<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

<input type="checkbox"/> Status Letter

<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
1) Return receipt postcard
2) PTO/SB/08A form
3) International Search Report |
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- | | |
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| Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
Total number of pages <u>does not</u> include cited references. |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Sujit B. Kotwal	Reg No. 43,336
Signature	S. B. Kotwal	
Date	February 10, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

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60138045 v1



PATENT
Attorney Docket No.: 021154-000510US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ALBERT LEUNG et al.

Application No.: 10/650,189

Filed: August 27, 2003

For: TECHNIQUES FOR BALANCING
CAPACITY UTILIZATION IN A
STORAGE ENVIRONMENT

Examiner: Unassigned

Art Unit: 2171

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A form are being called to the attention of the Examiner. Copies of the references are not enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Enclosed is a copy of the International Search Report corresponding to the PCT application.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement.

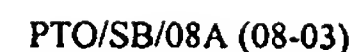
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

S. B. Kotwal

Sujit B. Kotwal
Reg. No. 43,336

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60137992 v1



Substitute for form 1449A/PTO

Complete if Known

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/650,189

Filing Date

August 27, 2003

First Named Inventor

Leung, Albert

Art Unit

2171

Examiner Name

Unassigned

Attorney Docket Number

021154-000510US

U.S. PATENT DOCUMENTS+

[illegible]

FOREIGN PATENT DOCUMENTS

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**Examiner
Signature**

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Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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